

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

PQ6698US0-156

In re Application of: **Alfred F. DICKEY, Cody W. JACKSON, William T. BALL**
 Application No.: **10/729,778**
 Filed: **December 5, 2003**
 For: **FREEZE PROTECTION DEVICE FOR WALL HYDRANTS/FAUCETS**

The owner, WCM Industries Inc of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,532,986. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

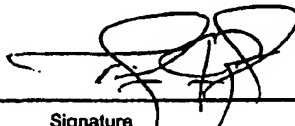
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


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TIMOTHY J. ZARLEY
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. Charge Deposit Account 50-2098 for \$55.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22303-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22303-1450.

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06/23/2004 LTHOMPS1 00000001 502098 10729778
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ZARLEY LAW FIRM P.L.C.
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Telephone: 515-558-0200
Facsimile: 515-558-7790

facsimile transmittal

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From: Jennifer Graham Date: June 24, 2004

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Re: Request for refund to our Deposit Acct. Pages: 3

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This is in regards to a Statutory Disclaimer for a patent application for WCM, Inventor Dickey, et al. USSN: 10/729,778 on FREEZE PROTECTION DEVICE FOR WALL HYDRANTS/FAUCETS. We were charged 3 times for the same thing. We should have only been charged once for and we are requesting a refund of 2 of them in the amount of \$110.00 (see attached for proof). Please send me a confirmation of this fax.
Thank you,

Jennifer Graham

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06/16	143	PCT/US04/18190	P6628 477108	1701	\$660.00	\$2,127.00
06/16	145	PCT/US04/18190	P6628 477108	8007	\$40.00	\$2,087.00
06/23	1	10729778	P06698US0-156	2814	\$55.00	\$2,032.00
06/23	2	10659409	P06668US0-169F	2201	\$43.00	\$1,989.00
06/23	2	10729778	P06698US0-156	2814	\$55.00	\$1,934.00
06/23	7	10729778	P06698US0-156	2814	\$55.00	\$1,879.00

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PATTSY# P06698US0-156

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COUNTRY	US	UNITED STATES	TITLE		PRIOR	12/5/2003
NEW/CON	NEW	SERIAL#	10/729,778	FREEZE PROTECTION DEVICE FOR WALL HYDRANTS/FAUCETS	MAIL	12/5/2003
RELATED		PATENT#			FILE	12/5/2003
TYPE	UTL	STATUS	PENDING		PUBL	
CLIENT	W015	WCM Industries, Inc.	1	CREF	156	ISSUE
AGENT				AREF		EXP
						1ST
						12/5/2003

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
DS	N	INF DISCLOSURE STMT	12/5/2003	3M	3/5/2004	0	3/5/2004	0	3/24/2004	1M	Y	Y	Y
FS	N	FILG RCPT STATUS CHK	12/5/2003	4M	4/5/2004		4/5/2004	0	3/15/2004	0M	Y	Y	Y
PC Rec'd 12/22/03 SN: 10/729,778													
RE	N	RESPONSE TO OA	4/8/2004	3M	7/9/2004	31	10/9/2004	0	6/2/2004	1M	Y	Y	Y
NC	N	NOTIFY CLIENT OF FF	12/5/2003	9M	9/5/2004	0	9/5/2004	0		0M	Y	Y	Y
CS	N	CHECK STATUS	6/2/2004	6M	12/2/2004	00	12/2/2004	0		0M	Y	Y	Y
FO	N	FOREIGN FILING DUE	12/5/2003	12M	12/5/2004		12/5/2004	0		3M	Y	Y	Y
PU	N	PUBLICATION	12/5/2003	18M	6/5/2005		6/5/2005	0		1M	Y	Y	Y

INVENTORS

DICKEY, ALFRED F.

JACKSON, CODY

BALL, WILLIAM T.

ASSIGNEES

WCM INDUSTRIES, INC.

USER-DEFINABLE FIELDS

ART#

CONF#

PUBL#

PATENT FIELDS

SMALL ENTITY Yes

CLAIMS

PUBLICATION#

ART UNIT

EXAMINER

CONFIRM#

P06698US00 ENTERED 11/13/2003 MODIFIED 6/3/2004 BY JLK ATTORNEYS DHZ / DHZ / DHZ

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